

PTO/SB/64 (07-06)

Approved for use through 09/30/2006 OMB 0651-0031

US Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c) subsections (III)(C) and (D))].

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OPPENHEIMER WOLFF & DONNELLY LLP

8-21-06
Date

Signature

612.607.7340
Telephone Number

Rudolph P. Hoffmann; Reg. No. 38,187
Typed or printed name(s); Registration No. (is applicable)

45 South Seventh Street, Suite 3300
Minneapolis, MN 55402-1609

ENCLOSURES

- ☐ Fee payment
- ☐ Reply
- ☐ Terminal Disclaimer
- ☐ Additional sheets containing statements establishing unintentional delay
- ☐ Other _____

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is being:

- ☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- ☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

8-21-06
Date

Janet Byrne
Type or printed name of person signing Certificate

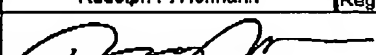
[Page 2 of 2]

OPPENHEIMER: 2448210 v01 08/19/2006

AUG 21 2006

FEE TRANSMITTAL		<i>Complete if Known</i>	
for FY 2006		Application Number	10/811,387
Patent fees are subject to annual revision.		Filing Date	March 28, 2004
<input type="checkbox"/> Applicant Claims Small Entity		First Named Inventor	Kevin N. Quiring
		Examiner Name	Unassigned
		Group Art Unit	3521
TOTAL AMOUNT OF PAYMENT	\$1,500.00	Attorney Docket No.:	60021-379801

METHOD OF PAYMENT				FEE CALCULATION (continued)			
1. <input checked="" type="checkbox"/> Authorized to charge indicated fees or credit				4. ADDITIONAL FEES			
Deposit Acct No.	50-1901			Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
Name:	Oppenheimer Wolff & Donnelly LLP			1051 130	2051 65	Surcharge - late filing fee or oath	
X Charge Any Add'l Fee Required Under 37 CFR 1.16 and 1.17				1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit				1053 130	1053 130	Non-English specification	
FEE CALCULATION				1812 2,520	1812 2,520	Filing a request for <i>ex parte</i> reexamination	
1. BASIC FILING FEE				1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
Large Fee	Small Fee	Fee description	Fee Paid	1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1000*	500*	Utility filing fee		1251 120	2251 60	Extension for reply within first month	
430*	215*	Design filing fee		1252 450	2252 225	Extension for reply within second month	
660*	330*	Plant filing fee		1253 1020	2253 510	Extension for reply within third month	
1400*	700*	Reissue filing fee		1254 1,580	2254 795	Extension for reply within fourth month	
200	100	Provisional filing fee		1255 2,160	2255 1,080	Extension for reply within fifth month	
SUBTOTAL (1)			\$0.00	1401 500	2401 250	Notice of Appeal	
2. EXTRA CLAIM FEES				1402 500	2402 250	Filing a brief in support of an appeal	
Extra Claims		Fee	Fee Paid	1403 1,000	2403 500	Request for oral hearing	
Claims - 20 =		50/25		1451 1,510	1451 1,510	Petition to institute a public use proceeding	
Ind. - 3 =		200/100		1452 500	2452 250	Petition to revive - unavoidable	
Claims Multiple Dependent		360/180		1453 1,500	2453 750	Petition to revive - unintentional	\$1,500.00
Large Entity Fee	Small Entity Fee	Fee Description		1501 1,400	2501 700	Utility issue fee (or reissue)	
50	25	Claims in excess of 20		1502 800	2502 400	Design issue fee	
200	100	Independent claims in excess of 3		1503 1,100	2503 550	Plant issue fee	
360	180	Multiple dependent claim		1460 130	1460 130	Petitions to the Commissioner	
200	100	** Reissue independent claims over original patent		1807 130	1807 130	Processing fee under 37 CFR 1.17(a)	
50	25	** Reissue claims in excess of 20 and over original patent		1806 180	1806 180	Submission of Information Disclosure Stmt	
SUBTOTAL (2)			\$0.00	8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
3. Application Size Fee (Utility)				1809 790	2809 395	Filing a submission after final rejection (37 CFR 1.129(a))	
If the specification and drawings exceed 100 sheets of paper, the application fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.18(s)				1810 790	2810 395	For each additional invention to be examined (37 CFR 1.129(b))	
SUBTOTAL (3)			\$0.00	1801 790	2801 395	Request for Continued Examination (RCE)	
				1802 800	1802 800	Request for expedited examination of a design application	
				Other fee (specify)			
				SUBTOTAL (4)			\$1,500.00

SUBMITTED BY		<i>Complete (if applicable)</i>	
Name	Rudolph P. Hofmann	Registration No.:	38,187
Signature		Telephone:	612-807-7340
		Date:	8-21-06

*Includes: Filing fee + Examination fee + Search fee

** Total Sheets -100 = Extra Sheets /50 = (No. of ea. Additional 50 or fraction thereof) x Fee

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FAX COVER LETTER

August 21, 2006

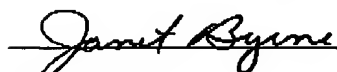
TO: Mail Stop Petition
COMPANY: Commissioner for Patents
PHONE:
FAX: 571.273.8300

FROM: Rudolph P. Hofmann
DIRECT DIAL: (612) 607-7340
EMAIL: RHofmann@oppenheimer.com
RE: U.S. Patent Application No. 10/811,367
Attorney Docket No.: 60021-379801

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being facsimile transmitted on the date shown below, to Mail Stop Petition, Commissioner for Patents.

1. Transmittal Form
2. Fee Transmittal
3. Petition for Revival of an Application for Patent Abandoned Unintentionally
4. Rescission of Previous Nonpublication Request


Janet Byrne

8-21-06

Date

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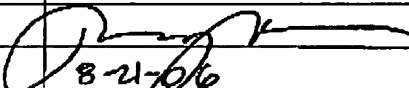
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/811,367
		Filing date	March 26, 2004
		First Named Inventor	Kevin N. Quiring
		Art Unit	3821
		Examiner Name	Unassigned
Total Number of Pages in This Submission	5	Attorney Docket Number	60021-379801

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to a Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) please identify below: Rescission of Previous Nonpublication Request
Remarks:		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED	
Name (Print/Type)	Rudolph P. Hofmann
Signature	
Date	8-21-06

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313 on this date: 8-21-06			
Typed or printed	Janet Byrne		
Signature		Date:	8-21-06

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.